

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

KENNETH MOODY,

PLAINTIFF

V.

NO. 4:07CV035-P-D

LARRY HARDY, et al.,

DEFENDANTS

**ORDER OVERRULING OBJECTIONS and ADOPTING REPORT AND
RECOMMENDATION**

The *pro se* Plaintiff, an inmate, brings this complaint pursuant to 42 U.S.C. § 1983 complaint. Plaintiff's complaint was the "everything but the kitchen sink" approach to pleading. After being allowed to amend his lengthy complaint and being denied a temporary restraining order, Plaintiff was afforded the opportunity to clarify and specifically state his claims at a *Spears* hearing. Following the hearing, Magistrate Judge Jerry A. Davis filed a Report and Recommendation on April 23, 2007, recommending dismissal for failing to state a claim for relief. On May 3 and May 23, 2007, Plaintiff filed Objections to the Report and Recommendation.

The court finds that Plaintiff's arguments, and additional allegations, are not well-taken and that the objections should be overruled for the reasons stated in the Report and Recommendation, which the court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that

1) the Plaintiff's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this court;

3) all claims and Defendants are DISMISSED; and

4) this case is CLOSED.

SO ORDERED, this the 1st day of June, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE